

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the Abstract, the blank space in line 5 has been deleted to from one paragraph.

The following is an examiner's statement of reasons for allowance: the instant claims are allowable over the prior art of record, because the prior art silent to a cathode of ferric phosphate made by the method of claim 1 including mixing a compound of phosphoric acid, phosphorous pentoxide, ammonium dihydrogenphosphate or diammonium hydrogenphosphate in a solution with metal iron.

The prior art such as Kohzaki et al. U.S. Pub. 2002/0182497 teaches a carbon-containing lithium iron composite phosphorous oxide with a basic composition of  $\text{LiFePO}_4$  made from a lithium source, phosphorus source and iron compound. However, the reference is silent to forming cathodic ferric phosphate made with metallic iron. Therefore, the reference is patentably distinct from the instant claims.

### ***Conclusion***

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Monique Wills whose telephone number is (571) 272-1309. The Examiner can normally be reached on Monday-Friday from 8:30am to 5:00 pm.

If attempts to reach Examiner by telephone are unsuccessful, the Examiner's supervisor, Patrick Ryan, may be reached at 571-272-1292. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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/Monique M Wills/

Examiner, Art Unit 1795

/PATRICK RYAN/

Supervisory Patent Examiner, Art Unit 1795